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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/506,291	08/31/2004	Jakob Gerrit Nijboer	NL 020208	6942

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS  
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BRIARCLIFF MANOR, NY 10510

EXAMINER

LAMB, CHRISTOPHER RAY

ART UNIT	PAPER NUMBER
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2656

DATE MAILED: 01/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/506,291	<b>Applicant(s)</b> NIJBOER ET AL.	
	<b>Examiner</b> Christopher R. Lamb	<b>Art Unit</b> 2656	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 31 August 2004.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 August 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Information Disclosure Statement***

1. The references cited in the Search Report issued by the EPO on August 28<sup>th</sup>, 2003 have been considered, but will not be listed on any patent resulting from this application because they were not provided on a separate list in compliance with 37 CFR 1.98(a)(1). In order to have the references printed on such resulting patent, a separate listing, preferably on a PTO/SB/08A and 08B form, must be filed within the set period for reply to this Office action.

### ***Drawings***

2. The drawings are objected to because the unlabeled rectangular box(es) shown in Figure 2 should be provided with descriptive text labels. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If

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the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Specification***

3. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required:

Claims 2, 6, and 11, require “extended information indicators which indicate the presence *and location* of the extended information blocks” (emphasis added). The extended information indicators described in the specification only indicate the presence of extended information blocks, not their location.

The relevant section of the application appears to be page 15, lines 26-27, where it says “the presence of an Extended Information block shall be indicated by a bit in byte 18,” and the example on page 16 where byte 18 is set to “0000 0001 indicating Extended Information block 0 is in use.” Determining the location is briefly mentioned in the last line of page 2 and the opening of page 3, but it is not described in any detail.

4. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

### ***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-3, 5-7, 9, and 11-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Su et al. (U.S. Patent 6,411,574).

Regarding claim 1, Su discloses a device for recording information (column 6, lines 8-11) on a track of a record carrier (inherent), which record carrier (a CD-R/CD-RW, column 5, line 35) comprises a disc information area with information about the record carrier (everything but the program area in Fig. 8), the device comprising disc information reading means for reading the disc information area (column 5, lines 17-35), characterized in that the disc information reading means are arranged for reading at least one extended information block (the data in the HCC area: column 5, lines 26-27) in the disc information area which extended information block comprises at least one additional parameter (expanded recording time: column 5, lines 28-29) and a block version number indicator indicative of the definition of the additional parameter (the leading bits define the parameters stored: column 1, line 52 through column 2, line 4).

Regarding claim 2, the recording device of Su is characterized in that disc information reading means are arranged for reading the disc information area of a record carrier (as previously discussed) which disc information area comprises extended information indicators which indicate the presence and location of the extended information blocks (column 4, lines 51-54).

Regarding claim 3, the device of Su is characterized in that disc information reading means are arranged for reading the disc information area of a record carrier (as previously discussed) which disc information area comprises more than one extended information block (several blocks are visible in Fig. 9) and that a predetermined value of the block version number of an extended information block indicates that that parameter block is a continuation of a preceding extended information block (the leading bits indicate such a continuation, described in column 1, line 52 through column 2, line 4: for example, 110 defines special information 2, a continuation of special information 1).

Claims 5-7 are directed to the record carrier read by the recording device of claims 1-3. All elements positively recited have already been discussed in the rejection of those claims.

Claims 9, 11, and 12 are method claims corresponding to the device of claims 1-3. All elements positively recited have already been discussed in the rejection of those claims.

7. Claims 1, 3-4, 5, 7-8, 9-10, and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Weirauch et al. (U.S. Patent 6,330,210).

Claims 1, 3, 5, 7, 9, and 12 have already been rejected as anticipated by Su et al., but can alternatively be rejected as anticipated by Weirauch.

Regarding claim 1, Weirauch discloses a device for recording information (Weirauch discloses write power calibration in column 3, line 53 to column 4, lines 7) on a track of a record carrier (Fig. 1: the track is 102), which record carrier comprises a disc information area with information about the record carrier (Fig. 1: 104), the device

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comprising disc information reading means for reading the disc information area (column 5, lines 12-17), characterized in that the disc information reading means are arranged for reading at least one extended information block in the disc information area (the extended information block is the DCB, or disc control block: reading it is discussed column 5, lines 12-17) which extended information block comprises at least one additional parameter (the DCB contains control information: column 1, lines 44-48) and a block version number indicator indicative of the definition of the additional parameter (the DCB ID: column 3, lines 1-8).

Regarding claim 3, the record carrier of Weirauch is characterized in that disc information reading means are arranged for reading the disc information area of a record carrier which disc information area comprises more than one extended information block (column 2, lines 53-67) and that a predetermined value of the block version number of an extended information block indicates that that parameter block is a continuation of a preceding extended information block (the sequence number, column 5, lines 33-38).

(For this rejection, the examiner has considered an updated information block to be a "continuation" of a "preceding" information block. The preceding block is the old version, which has been overwritten by the continuation, or new version.)

Regarding claim 4, Weirauch's device is characterized in that the disc information reading means are arranged for reading the disc information area of a record carrier which disc information area comprises six extended information blocks (it can have up to sixteen: column 2, lines 63-65).

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Claims 5, 7, and 8 are directed to the record carrier read by the recording device of claims 1 and 4. All elements positively recited have already been discussed in the rejection of those claims.

Claims 9, 10, and 12 are method claims corresponding to the device of claims 1 and 4. All elements positively recited have already been discussed in the rejection of those claims.

### ***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Roth et al. (U.S. Patent 5,418,764), Miyake et al. (U.S. Patent 6,580,684).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher R. Lamb whose telephone number is (572) 272-5264. The examiner can normally be reached on 8:30 AM to 6:00 PM Monday through Friday.

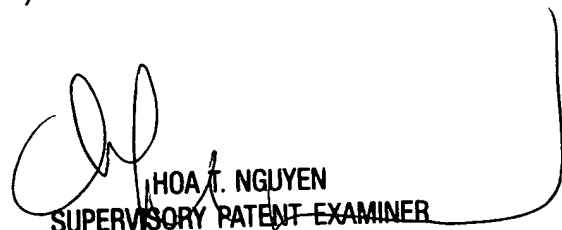
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hoa Nguyen can be reached on (571) 272-7579. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CRL 1/5/06

  
HOA T. NGUYEN  
SUPERVISORY PATENT EXAMINER  
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1/9/06